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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,500	02/12/2004	Per-Ake Minborg	2002-544	3666
7590 06/10/2009				
David E. Bennett Coats & Bennett, P.L.L.C. 1400 Crescent Green, Suite 300 Cary, NC 27518			EXAMINER HASHEM, LISA	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 06/10/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/776,500

Applicant(s)

MINBORG ET AL.

Examiner

LISA HASHEM

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

FINAL DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-9 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 and 11 recite the limitation "the corresponding type" in line 10 of claim 1 and line 11 of claim 9. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. Pat. No. 6,192,123 by Grunsted et al (cited by Applicant in IDS filed on 3-6-06), hereinafter Grunsted, and in view of U.S. Pat. No. 6,978,005 by Pernu et al, hereinafter Pernu.

Regarding claim 1, Grunsted discloses a method of providing data objects to terminals of subscribers in a first telecommunications network (Fig. 1) having first subscribers (i.e. customer or company representatives; other party) with autonomous type terminals (i.e. multiple telephones; Fig. 1: 140a-140d) and second subscribers (i.e. Internet users; customers) with network type terminals (i.e. multiple computers; Fig. 1: 110a-110d), and wherein the network

type terminals (i.e. computers) rely on functionality in the network (i.e. initiating a 'call me now' function; initiating a call to an other party selected from a phone book; initiating a conference call) to provide for retrieval of data objects (i.e. retrieving a stored web page and generating a web page) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24), the method comprising: associating each of the first and second subscribers with the corresponding type of terminal (col. 4, lines 2-4; col. 5, lines 29-62; col. 8, lines 27-30; col. 9, lines 6-15); determining occurrences of triggering events (i.e. initiating a 'call me now' function; initiating a call to an other party; initiating a conference call) indicating communication events (i.e. calls) between subscribers (i.e. customers or users; customer or company representatives; other party) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24); and upon determination of each triggering event (i.e. initiating a 'call me now' function; initiating a call to an other party; initiating a conference call), selectively providing data object retrieval (i.e. retrieving web pages) only to subscribers (i.e. users or customers) associated with network type terminals (i.e. computers) (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Grunsted discloses autonomous type terminals or multiple telephones used by a customer representative or called party that receives an incoming call. However, Grunsted does not disclose the multiple telephones comprise functionality for client-based retrieval of data objects.

Pernu discloses a method of providing data objects to terminals of subscribers in a first telecommunications network (Fig. 1: i.e. ISDN) having subscribers (i.e. A-party; B-party) with autonomous type terminals (col. 5, lines 20-36), wherein the autonomous type terminals (i.e. telecommunication terminals; Fig. 1: TE1, TE2) comprise functionality for client-based retrieval

of data objects (i.e. telephone book information) (col. 6, lines 29-44; col. 7, line 50 – col. 8, line 5).

Again, Grunsted discloses the claimed method except Grunsted does not disclose the autonomous type terminals comprise functionality for client-based retrieval of data objects. However, the claimed limitation of the autonomous type terminals comprise functionality for client-based retrieval of data objects was old and well known in the art. Pernu clearly teaches such concept.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Grunsted to include the autonomous type terminals comprise functionality for client-based retrieval of data objects as taught by Pernu. In other words, one of ordinary skill in the art would have been lead to make such a modification of Grunsted to provide autonomous type terminals comprise functionality for client-based retrieval of data objects, such as the telecommunication terminals of Pernu, to the multiple telephones of Grunsted so that the multiple telephone can retrieve data objects without having to initiate a network triggering event, such as initiating a call to a called party.

Regarding claim 2, the method according to claim 1, Grunsted further comprising: associating a terminal capability (i.e. computer or telephone) with at least one of the subscribers (i.e. user or customer) (col. 3, line 65 – col. 4, line 4; col. 5, lines 18-62); wherein providing data object retrieval only to subscribers associated with network type terminals (i.e. computers) comprises providing data retrieval in view of the associated terminal capabilities (col. 4, lines 2-4; col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 3, the method according to claim 1 or 2, Grunsted further comprising:
determining whether a subscriber (i.e. user or customer) involved in a first communication event (i.e. call) belongs to a second network (i.e. Internet) and, if the subscriber belongs to the second network, then selectively letting the second network provide data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals (i.e. computers) (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 4, the method according to claim 1 or 2, Grunsted further comprising:
determining whether a subscriber (i.e. user or customer) involved in a first communication event (i.e. call) belongs to a second network (i.e. Internet) and if the subscriber belongs to the second network, then selectively providing data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 5, the method according to claim 4, Grunsted further comprising: only providing data objects of a text nature (i.e. web page including text) to subscribers belonging to the second network (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 6, the method according to claim 4, Grunsted further comprising:
only providing data objects of an audio nature (i.e. play of recorded message) to subscribers belonging to other networks (i.e. PSTN) (col. 5, lines 53-59).

Regarding claim 7, the method according to claim 1, wherein Grunsted discloses providing data object retrieval comprises: requesting a phone page number service (i.e. initiating a 'call me now' function; initiating a call to an other party; initiating a conference call) to determine a phone page web server (i.e. web server; Fig. 2, 210); requesting a data object (i.e.

web page) of the phone page web server; and providing the data object received from the phone page web server to a subscriber (i.e. user or customer) involved in a first communication event (i.e. call) (col. 5, line 18 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 8, the method according to claim 1, wherein Grunsted providing data object retrieval comprises:

requesting a data holder (i.e. browser) to provide a data object to a subscriber (i.e. user or customer) involved in a first communication event (i.e. call) (col. 5, line 18 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 9, Grunsted discloses a filtering server (i.e. a web server; Fig. 2, 210) of a communication network (Fig. 1) arranged to provide data objects (i.e. web pages) to terminals of subscribers, the communication network having first subscribers (i.e. customer or company representatives; other party) with autonomous type terminals (i.e. multiple telephones; Fig. 1: 140a-140d) and second subscribers (i.e. Internet users; customers) with network type terminals (i.e. multiple computers; Fig. 1: 110a-110d), and wherein the network type terminals (i.e. computers) rely on functionality in the network (i.e. initiating a 'call me now' function; initiating a call to an other party selected from a phone book; initiating a conference call) to provide for retrieval of data objects (i.e. retrieving a stored web page and generating a web page) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24), wherein the filtering server is arranged to: associating each of the first and second subscribers with the corresponding type of terminal (col. 4, lines 2-4; col. 5, lines 29-62; col. 8, lines 27-30; col. 9, lines 6-15); determine occurrences of triggering events (i.e. initiating a 'call me now' function; initiating a call to an other party; initiating a conference call) indicating communication events (i.e. calls)

between subscribers (i.e. customers or users; customer or company representatives; other party) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24); and upon determination of each triggering event (i.e. initiating a ‘call me now’ function; initiating a call to an other party; initiating a conference call), to provide data object retrieval (i.e. retrieving web pages) only to subscribers (i.e. users or customers) associated with network type terminals (i.e. computers) (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Grunsted discloses autonomous type terminals or multiple telephones used by a customer representative or called party that receives an incoming call. However, Grunsted does not disclose the multiple telephones comprise functionality for client-based retrieval of data objects.

Pernu discloses a filtering server (i.e. server; Fig. 1, 1) of a communication network (Fig. 1: i.e. ISDN) arranged to provide data objects (i.e. telephone book information) to terminals of subscribers, the communication network having subscribers (i.e. A-party; B-party) with autonomous type terminals (col. 5, lines 20-36), wherein the autonomous type terminals (i.e. telecommunication terminals; Fig. 1: TE1, TE2) comprise functionality for client-based retrieval of data objects (i.e. telephone book information) (col. 6, lines 29-44; col. 7, line 50 – col. 8, line 5).

Again, Grunsted discloses the claimed server except Grunsted does not disclose the autonomous type terminals comprise functionality for client-based retrieval of data objects. However, the claimed limitation of the autonomous type terminals comprise functionality for client-based retrieval of data objects was old and well known in the art. Pernu clearly teaches such concept.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the server of Grunsted to include the autonomous type terminals comprise functionality for client-based retrieval of data objects as taught by Pernu. In other words, one of ordinary skill in the art would have been lead to make such a modification of Grunsted to provide autonomous type terminals comprise functionality for client-based retrieval of data objects, such as the telecommunication terminals of Pernu, to the multiple telephones of Grunsted so that the multiple telephone can retrieve data objects without having to initiate a network triggering event, such as initiating a call to a called party.

Allowable Subject Matter

6. Claim 11 is objected to as being dependent upon a rejected base claim 9, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

9. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LISA HASHEM whose telephone number is (571)272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Lisa Hashem/
Examiner, Art Unit 2614
June 1, 2009
/Fan Tsang/
Supervisory Patent Examiner, Art Unit 2614